

June 1, 2004

June First

20-----04

The regular June Meeting of Council was held on the above date at 7:00 p.m. in the Council Chambers located on the Fourth floor of the Municipal Building. The following Council Members were present: Ruby B. Archie, P. A. "Pete" Castiglione, Jr., E. Stokes Daniels, Jr., Mayor John C. Hamlin, T. David Luther, Albert K. "Buddy" Rawley, Jr., Sherman M. Saunders, and H. Phillip Smith, and Vice-Mayor R. Wayne Williams, Jr. (9).

Staff Members present were: City Manager Jerry L. Gwaltney, Deputy City Manager M. Lyle Lacy, III, Assistant City Manager for Utilities Joseph C. King, Director of Finance Aubrey D. Dodson, Assistant City Manager for Government Affairs Todd M. Yeatts, Budget Director Cynthia L. Thomasson, City Attorney W. Clarke Whitfield, Jr., and Clerk of the Council Annette Y. Crane, CMC.

Other Staff members present were Police Chief Philip Broadfoot, Economic Development Director Ron Bunch, Human Services Director Gwendolyn Edwards, Community Development Director Jerry Fischer, Planning Director Kenny Gillie, and Human Resources Director Andrea Witt.

Mayor Hamlin presided.

### **INVOCATION AND PLEDGE OF ALLEGIANCE**

Vice-Mayor Wayne Williams offered the Invocation. The Pledge of Allegiance to the Flag followed.

### **ANNOUNCEMENTS AND SPECIAL RECOGNITION**

Mayor Hamlin recognized Economic Development Director Ron Bunch. Mr. Bunch advised that the local Nestle' company has been designated in the "Refrigerated and Frozen Foods" Magazine as one the best companies in the United States. Mr. Bunch called on local Nestle' Plant Manager Don Nodtvedt to make some remarks. Mr. Nodtvedt said the magazine looks at refrigerated and frozen food plants all across the United States and evaluated the companies on eight criteria, including community involvement, plant efficiency and employee involvement. Mr. Nodtvedt expressed his excitement and said it is an award not only for Danville, but also for all of Nestle' associates.

Mr. Nodtvedt introduced Vice-President of Manufacturing for the prepared foods company Jay Weaver. Mr. Weaver praised the efforts put forth by the company's employees, whom he felt made the honor possible.

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Mayor Hamlin commended Mr. Nodtvedt and Mr. Weaver and Nestle' employees for getting involved in the community and helping to make Danville a great place to live and work.

### **CLARKE WHITFIELD SWORN IN AS CITY ATTORNEY**

Clerk of the Circuit Court Gerald Gibson administered the Oath of Office to Clarke Whitfield, who was appointed by City Council on May 9 to serve as City Attorney. Mr. Whitfield's appointment was effective today, June 1, 2004, for an indefinite term.

Mayor Hamlin, Council Members and City staff welcomed Mr. Whitfield.

### **MINUTES**

Upon Motion by Council Member Luther and second by Council Member Daniels, Minutes of the May 18, 2004 Meeting of Danville City Council were approved as presented. Draft copies had been distributed to Council Members prior to the Meeting.

### **BUDGET ADOPTION-FY 2003-04-HUD-CYBER PARK IMPROVEMENTS**

Upon Motion by Council Member Rawley and second by Council Member Archie, Ordinance No. 2004-05.12 presented by its First Reading on May 18, 2004 amending the Fiscal Year 2003-2004 Budget Appropriation Ordinance by increasing revenues to provide for funding from the U. S. Department of Housing and Community Development in the amount of \$375,000 for Public Improvements for the City/County Cyber Park was adopted by the following vote:

VOTE: 9-0  
AYE: Archie, Castiglione, Daniels, Hamlin, Luther, Rawley, Saunders,  
Smith, and Williams (9).  
NAY: None (0).

### **PUBLIC HEARING – SCHOOL BOARD TRUSTEES**

Mayor Hamlin opened the floor for a Public Hearing to consider nominees or candidates for School Board Trustees. Notice of the Public Hearing had been duly published in the Danville Register and Bee on May 10, 2004.

Vice-Mayor Williams read the following names: Evangelina Balmori, Hugh T. Mitchell, Jr., Ernestine I. Johnson, Jerry A. Showalter, Thomas E. Cox, and R. Helm Dobbins.

No further names were presented and the Public Hearing was closed.

### **APPOINTMENTS**

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Mayor Hamlin announced there were twenty-three Resolutions of Appointment and stated they would be enacted by one Motion. If Council Members or citizens desired discussion, the Item(s) would be removed from the Consent Process and considered separately.

Council Member Saunders moved that Agenda Items VII.-18, 19, & 20 (School Board Trustee appointments) be removed from the Consent Process and considered separately. The Motion was seconded by Council Member Daniels and was carried unanimously.

#### **REAPPOINT DOBBINS TO AIRPORT COMMISSION**

Vice-Mayor Williams moved the adoption of a Resolution entitled:

##### **RESOLUTION NO. 2004-06.01**

A RESOLUTION REAPPOINTING R. HELM DOBBINS AS A MEMBER OF THE AIRPORT COMMISSION.

The Motion was seconded by Council Member Daniels and adopted by the following vote:

VOTE: 9-0  
AYE: Archie, Castiglione, Daniels, Hamlin, Luther, Rawley, Saunders,  
Smith, and Williams (9).  
NAY: None (0).

#### **REAPPOINT MCMANN TO AIRPORT COMMISSION**

Vice-Mayor Williams moved the adoption of a Resolution entitled:

##### **RESOLUTION NO. 2004-06.02**

A RESOLUTION REAPPOINTING WILLIAM J. MCMANN, JR. AS A MEMBER OF THE AIRPORT COMMISSION.

The Motion was seconded by Council Member Daniels and adopted by the following vote:

VOTE: 9-0  
AYE: Archie, Castiglione, Daniels, Hamlin, Luther, Rawley, Saunders,  
Smith, and Williams (9).  
NAY: None (0).

#### **REAPPOINT SIDES TO AIRPORT COMMISSION**

Vice-Mayor Williams moved the adoption of a Resolution entitled:

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RESOLUTION NO. 2004-06.03

A RESOLUTION REAPPOINTING GREGORY L. SIDES AS A MEMBER OF THE AIRPORT COMMISSION.

The Motion was seconded by Council Member Daniels and adopted by the following vote:

VOTE: 9-0  
AYE: Archie, Castiglione, Daniels, Hamlin, Luther, Rawley, Saunders,  
Smith, and Williams (9).  
NAY: None (0).

**REAPPOINT SAUNDERS TO SMALL BUSINESS DEVELOPMENT CENTER**

Vice-Mayor Williams moved the adoption of a Resolution entitled:

RESOLUTION NO. 2004-06.04

A RESOLUTION REAPPOINTING SHERMAN M. SAUNDERS AS A MEMBER OF THE DAN RIVER BUSINESS DEVELOPMENT CENTER.

The Motion was seconded by Council Member Daniels and adopted by the following vote:

VOTE: 9-0  
AYE: Archie, Castiglione, Daniels, Hamlin, Luther, Rawley, Saunders,  
Smith, and Williams (9).  
NAY: None (0).

**APPOINT LEA TO DANVILLE COMMUNITY COLLEGE BOARD**

Vice-Mayor Williams moved the adoption of a Resolution entitled:

RESOLUTION NO. 2004-06.05

A RESOLUTION APPOINTING HARRY G. LEA AS A MEMBER OF THE DANVILLE COMMUNITY COLLEGE BOARD OF TRUSTEES.

The Motion was seconded by Council Member Daniels and adopted by the following vote:

VOTE: 9-0  
AYE: Archie, Castiglione, Daniels, Hamlin, Luther, Rawley, Saunders,  
Smith, and Williams (9).

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NAY: None (0).

**REAPPOINT DAVENPORT TO DANVILLE DEVELOPMENT COUNCIL**

Vice-Mayor Williams moved the adoption of a Resolution entitled:

RESOLUTION NO. 2004-06.06

A RESOLUTION REAPPOINTING BEN J. DAVENPORT AS A MEMBER OF THE DANVILLE DEVELOPMENT COUNCIL.

The Motion was seconded by Council Member Daniels and adopted by the following vote:

VOTE: 9-0

AYE: Archie, Castiglione, Daniels, Hamlin, Luther, Rawley, Saunders, Smith, and Williams (9).

NAY: None (0).

**REAPPOINT MACPHERSON TO DANVILLE DEVELOPMENT COUNCIL**

Vice-Mayor Williams moved the adoption of a Resolution entitled:

RESOLUTION NO. 2004-06.07

A RESOLUTION REAPPOINTING DAVE J. MACPHERSON AS A MEMBER OF THE DANVILLE DEVELOPMENT COUNCIL.

The Motion was seconded by Council Member Daniels and adopted by the following vote:

VOTE: 9-0

AYE: Archie, Castiglione, Daniels, Hamlin, Luther, Rawley, Saunders, Smith, and Williams (9).

NAY: None (0).

**REAPPOINT WRIGHT TO DANVILLE DEVELOPMENT COUNCIL**

Vice-Mayor Williams moved the adoption of a Resolution entitled:

RESOLUTION NO. 2004-06.08

A RESOLUTION REAPPOINTING E. LINWOOD WRIGHT, III AS A MEMBER OF THE DANVILLE DEVELOPMENT COUNCIL.

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The Motion was seconded by Council Member Daniels and adopted by the following vote:

VOTE: 9-0  
AYE: Archie, Castiglione, Daniels, Hamlin, Luther, Rawley, Saunders,  
Smith, and Williams (9).  
NAY: None (0).

**APPOINT CHANEY TO COMMUNITY POLICY & MANAGEMENT BOARD**

Vice-Mayor Williams moved the adoption of a Resolution entitled:

RESOLUTION NO. 2004-06.09

A RESOLUTION APPOINTING NANCY J. CHANEY AS THE PARENT REPRESENTATIVE OF THE DANVILLE-PITTSYLVANIA COMMUNITY POLICY AND MANAGEMENT BOARD.

The Motion was seconded by Council Member Daniels and adopted by the following vote:

VOTE: 9-0  
AYE: Archie, Castiglione, Daniels, Hamlin, Luther, Rawley, Saunders,  
Smith, and Williams (9).  
NAY: None (0).

**APPOINT WICKERSTO COMMUNITY POLICY & MANAGEMENT BOARD**

Vice-Mayor Williams moved the adoption of a Resolution entitled:

RESOLUTION NO. 2004-06.10

A RESOLUTION APPOINTING DR. FRANK WICKERS AS THE PRIVATE PROVIDER REPRESENTATIVE OF THE DANVILLE-PITTSYLVANIA COMMUNITY POLICY AND MANAGEMENT BOARD.

The Motion was seconded by Council Member Daniels and adopted by the following vote:

VOTE: 9-0  
AYE: Archie, Castiglione, Daniels, Hamlin, Luther, Rawley, Saunders,  
Smith, and Williams (9).  
NAY: None (0).

**REAPPOINT MANTOOTH TO DANVILLE TOURISM BOARD**

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Vice-Mayor Williams moved the adoption of a Resolution entitled:

RESOLUTION NO. 2004-06.11

A RESOLUTION REAPPOINTING TIMOTHY W. MANTOOTH AS THE RESTAURANT REPRESENTATIVE OF THE DANVILLE TOURISM BOARD.

The Motion was seconded by Council Member Daniels and adopted by the following vote:

VOTE: 9-0

AYE: Archie, Castiglione, Daniels, Hamlin, Luther, Rawley, Saunders, Smith, and Williams (9).

NAY: None (0).

**APPOINT PATEL TO DANVILLE TOURISM BOARD**

Vice-Mayor Williams moved the adoption of a Resolution entitled:

RESOLUTION NO. 2004-06.12

A RESOLUTION APPOINTING ANIL A. PATEL AS THE HOTEL REPRESENTATIVE OF THE DANVILLE TOURISM BOARD.

The Motion was seconded by Council Member Daniels and adopted by the following vote:

VOTE: 9-0

AYE: Archie, Castiglione, Daniels, Hamlin, Luther, Rawley, Saunders, Smith, and Williams (9).

NAY: None (0).

**REAPPOINT ISEMANN TO DANVILLE UTILITY COMMISSION**

Vice-Mayor Williams moved the adoption of a Resolution entitled:

RESOLUTION NO. 2004-06.13

A RESOLUTION REAPPOINTING WILLIAM R. ISEMANN AS A CITIZEN MEMBER OF THE DANVILLE UTILITY COMMISSION.

The Motion was seconded by Council Member Daniels and adopted by the following vote:

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VOTE: 9-0  
AYE: Archie, Castiglione, Daniels, Hamlin, Luther, Rawley, Saunders,  
Smith, and Williams (9).  
NAY: None (0).

**REAPPOINT TURNER TO DANVILLE UTILITY COMMISSION**

Vice-Mayor Williams moved the adoption of a Resolution entitled:

RESOLUTION NO. 2004-06.14

A RESOLUTION REAPPOINTING RICHARD L. TURNER AS A CITIZEN  
MEMBER OF THE DANVILLE UTILITY COMMISSION.

The Motion was seconded by Council Member Daniels and adopted by the following  
vote:

VOTE: 9-0  
AYE: Archie, Castiglione, Daniels, Hamlin, Luther, Rawley, Saunders,  
Smith, and Williams (9).  
NAY: None (0).

**REAPPOINT EUBANKS TO PUBLIC WELFARE ADVISORY BOARD**

Vice-Mayor Williams moved the adoption of a Resolution entitled:

RESOLUTION NO. 2004-06.15

A RESOLUTION REAPPOINTING EDWINA M. EUBANKS AS A MEMBER OF  
THE PUBLIC WELFARE ADVISORY BOARD.

The Motion was seconded by Council Member Daniels and adopted by the following  
vote:

VOTE: 9-0  
AYE: Archie, Castiglione, Daniels, Hamlin, Luther, Rawley, Saunders,  
Smith, and Williams (9).  
NAY: None (0).

**APPOINT JOHNSON TO PUBLIC WELFARE ADVISORY BOARD**

Vice-Mayor Williams moved the adoption of a Resolution entitled:



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RESOLUTION NO. 2004-06.16

A RESOLUTION APPOINTING DR. GERALD JOHNSON AS A MEMBER OF THE PUBLIC WELFARE ADVISORY BOARD.

The Motion was seconded by Council Member Daniels and adopted by the following vote:

VOTE: 9-0  
AYE: Archie, Castiglione, Daniels, Hamlin, Luther, Rawley, Saunders,  
Smith, and Williams (9).  
NAY: None (0).

**REAPPOINT SAUNDERS TO PUBLIC WELFARE ADVISORY BOARD**

Vice-Mayor Williams moved the adoption of a Resolution entitled:

RESOLUTION NO. 2004-06.17

A RESOLUTION REAPPOINTING LINWOOD SAUNDERS AS A MEMBER OF THE PUBLIC WELFARE ADVISORY BOARD.

The Motion was seconded by Council Member Daniels and adopted by the following vote:

VOTE: 9-0  
AYE: Archie, Castiglione, Daniels, Hamlin, Luther, Rawley, Saunders,  
Smith, and Williams (9).  
NAY: None (0).

**APPOINT DANIELS & SAUNDERS TO WPPDC**

Vice-Mayor Williams moved the adoption of a Resolution entitled:

RESOLUTION NO. 2004-06.18

A RESOLUTION APPOINTING E. STOKES DANIELS, JR. AND SHERMAN M. SAUNDERS AS MEMBERS OF THE WEST PIEDMONT PLANNING DISTRICT COMMISSION.

The Motion was seconded by Council Member Daniels and adopted by the following vote:

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VOTE: 9-0  
AYE: Archie, Castiglione, Daniels, Hamlin, Luther, Rawley, Saunders,  
Smith, and Williams (9).  
NAY: None (0).

**REAPPOINT RAWLEY TO ROANOKE RIVER BASIN ASSOCIATION**

Vice-Mayor Williams moved the adoption of a Resolution entitled:

RESOLUTION NO. 2004-06.19

A RESOLUTION REAPPOINTING ALBERT K. "BUDDY" RAWLEY, JR. AS A MEMBER OF THE ROANOKE RIVER BASIN ASSOCIATION.

The Motion was seconded by Council Member Daniels and adopted by the following vote:

VOTE: 9-0  
AYE: Archie, Castiglione, Daniels, Hamlin, Luther, Rawley, Saunders,  
Smith, and Williams (9).  
NAY: None (0).

**REAPPOINT DANIELS AND HAMLIN TO MPO**

Vice-Mayor Williams moved the adoption of a Resolution entitled:

RESOLUTION NO. 2004-06.20

A RESOLUTION REAPPOINTING E. STOKES DANIELS, JR. AND JOHN C. HAMLIN AS MEMBERS OF THE METRO PLANNING ORGANIZATION.

The Motion was seconded by Council Member Daniels and adopted by the following vote:

VOTE: 9-0  
AYE: Archie, Castiglione, Daniels, Hamlin, Luther, Rawley, Saunders,  
Smith, and Williams (9).  
NAY: None (0).

**APPOINT HUCKABEE TO SCHOOL BOARD TRUSTEES**

Vice-Mayor Williams moved the adoption of a Resolution entitled:

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RESOLUTION NO. 2004-06.21

A RESOLUTION APPOINTING MALCOM W. HUCKABEE AS A MEMBER OF THE SCHOOL BOARD TRUSTEES.

The Motion was seconded by Council Member Rawley and adopted by the following vote:

VOTE: 9-0  
AYE: Archie, Castiglione, Daniels, Hamlin, Luther, Rawley, Saunders, Smith, and Williams (9).  
NAY: None (0).

**APPOINT JONES TO SCHOOL BOARD TRUSTEES**

Vice-Mayor Williams moved the adoption of a Resolution entitled:

RESOLUTION NO. 2004-06.22

A RESOLUTION APPOINTING ALONZO L. JONES AS A MEMBER OF THE SCHOOL BOARD TRUSTEES.

The Motion was seconded by Council Member Archie and adopted by the following vote:

VOTE: 9-0  
AYE: Archie, Castiglione, Daniels, Hamlin, Luther, Rawley, Saunders, Smith, and Williams (9).  
NAY: None (0).

Mayor Hamlin recognized a group of students who were present in support of Mr. Jones. Mr. Jones heads the Parks and Recreation Leaders in Training Program, which mentors young people to be leaders.

**APPOINT POLHAMUS TO SCHOOL BOARD TRUSTEES**

Vice-Mayor Williams moved the adoption of a Resolution entitled:

RESOLUTION NO. 2004-06.23

A RESOLUTION APPOINTING EDWARD C. POLHAMUS AS A MEMBER OF THE SCHOOL BOARD TRUSTEES.

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The Motion was seconded by Council Member Saunders and adopted by the following vote:

VOTE: 9-0  
AYE: Archie, Castiglione, Daniels, Hamlin, Luther, Rawley, Saunders,  
Smith, and Williams (9).  
NAY: None (0).

### **HEARING-SPECIAL USE PERMITS - AVERETT UNIVERSITY**

Mayor Hamlin opened the floor for a Public Hearing to consider a request from Averett University for Special Use Permits. Notice of the Public Hearing had been duly published in the Danville Register and Bee on May 18 and 25, 2004.

Mayor Hamlin recognized Averett University President Dr. Richard Pfau. Dr. Pfau advised that Averett is proposing to remove two (2) homes and an existing sand volleyball court and construct a 38,729 sq. ft. student center on a 2.597-acre site, located at the intersection of Woodland Drive, Townes Street, and Robertson Avenue. He said the center will serve the same function as the old center, but would allow for consolidation of several services in one facility.

Dr. Pfau recognized and acknowledged the presence of Claude Owen, a member of the Averett University Board of Trustees. Dr. Pfau presented a letter of support from Board Member Landon Wyatt to the City Clerk.

Dr. Pfau presented a formal statement to Council Members as follows:

“Like a village green, the Main Street in a small town, the favorite local eatery or the Community Market, all strong communities have a place where members gather to share stories about their lives, seek help for problems and renew their spirits. A University is no different. Students, faculty and staff seek places outside the classroom to discuss ideas, share dreams for the future, or just enjoy a meal together.

As Averett University has grown and become more diverse, creating a sense of community on campus has increasingly become a challenge. It is crucial for us that there be a central place on campus where resident students, commuter students, graduate and professional studies students can gather with each other and with faculty and staff. In order to successfully recruit, retain, and best educate this generation of students, we seek to create such a place in this University of students. Our promise to this generation of students is that Averett...it's about students. It's about providing the best educational opportunities both inside the classroom and out. It's about caring for the individual student's mental, physical, and spiritual development. It's about making a student's experience, whether he or she lives in the residence halls or drives 45 minutes or more to campus, the best it can be. We seek to fulfill our promise to students by building a student center that will help us to educate, to recruit, to retain, and to continue to serve the community of Danville.”

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Council Member Saunders said Averett University had a reputation for being a very safe school. In response to Mr. Saunders, Dr. Pfau advised that since 1999, the resident population had grown by one-third. The total population has grown by one-fourth. He said during that time, there had been only one incident, which was a liquor law violation in 2002.

Council Member Rawley expressed appreciation to Dr. Pfau for the meeting held on May 21 to go over some concerns presented by area residents. Mr. Rawley said he hoped those concerns would be monitored and addressed.

Dr. Pfau said the University takes very seriously the need to be good neighbors and respect the residents in the Averett community.

City Manager Gwaltney said he had met with Dr. Pfau and had asked him to consider a couple proffers that had come to the forefront.

Dr. Pfau said that on recommendations of nearby residents, Averett is prepared to make as a part of the variance, a pledge that the pick up and delivery of the dumpster, which is associated with the building, and the large trucks that make two deliveries during the week would do so only between the hours of 8 a.m. and 5 p.m. The area in questioned will be screened. And Dr. Pfau said noise would be kept to a minimum.

Robertson Avenue resident Tom Cahill expressed concern about the proposed 10-ft. setback along Robertson Avenue. Mr. Cahill felt it did not provide adequate space for landscaping. Mr. Cahill presented photographs of cars parked along Robertson Avenue. An aerial map showed Averett's remote parking places to be empty and on-street parking completely filled. He said the street was rarely cleaned because the City's sweeper could not reach the area because of the parking.

Mr. Cahill asked for relocation of trash dumpsters. He said the City's public health code is being violated because dumpsters were left open every day that Averett was in session and grease traps were no more than mere barrels with the lids left off.

Mr. Cahill suggested that the trucking traffic would better serve the area if it were kept along Wooding Avenue. He wanted a guarantee that the corner of Robertson Avenue and Townes Street would remain a green space and not be used for development.

Also expressing concerns about noise and the odor from trash dumpsters were Audrey Cahill and Marsha Dalton. Mrs. Cahill said she did not feel Council should issue the permit, since the request was passed by the Planning Commission with a 5-4 vote.

In response to Vice-Mayor Williams, Dr. Pfau said the City maintained the streets around Averett.

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Council Members Castiglione, Saunders, and Smith expressed concerns about the parking problems and felt they needed to be adequately resolved.

City Manager Gwaltney advised he would have an investigation conducted by the City Engineer and the Police Department to determine what could be done about the parking problems in the entire area.

No one further desired to be heard and the Public Hearing was closed.

Council Member Luther moved the adoption of an Ordinance (as amended with proffers from Dr. Pfau) entitled:

ORDINANCE NO. 2004-06.01

AN ORDINANCE GRANTING SPECIAL USE PERMITS AT THE INTERSECTION OF WOODLAND DRIVE, TOWNES STREET, AND ROBERTSON AVENUE.

Council Member Castiglione seconded the Motion.

Council Member Daniels referred to comments in the Planning Commission report. One resident noted the neighborhood was beginning to erode. Another resident referred to the loud noises, speeding, and drinking by college students. Mr. Daniels said these neighbors are exercising their rights as citizens to speak on these matters. He said they live in Danville because of the quality of life here. There must be some resolution to these concerns and residents need to know what is going to be done.

Mr. Luther felt the Police Department should take care of speeders. Anyone driving 50 mph in a 25 mph zone should be charged with Reckless Driving.

Mr. Castiglione agreed with Council Member Daniels and said he would feel more comfortable if Averett would set up regular meetings with area residents to work out these problems.

In response to Mayor Hamlin, Planning Director Gillie said both Averett and the residents agreed the green space would remain as such.

The Ordinance was adopted by the following vote:

VOTE:	8-1
AYE:	Archie, Castiglione, Hamlin, Luther, Rawley, Saunders, Smith, and Williams (8).
NAY:	Daniels (1).

**HEARING-REZONE 4.19 ACRES-DELTA ROAD, ROBERTS & HAMILTON**

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Mayor Hamlin opened the floor for a Public Hearing to consider a request to rezone approximately 4.19 acres from Old Towne Residential to Suburban Residential. Notice of the Public Hearing had been duly published in the Danville Register and Bee on May 18 and 25, 2004. Howard Burnette of General Development, Inc. appeared to answer questions from Council Members and citizens. No one further desired to be heard and the Public Hearing was closed.

Council Member Daniels moved the adoption of an Ordinance entitled:

ORDINANCE NO. 2004-06.02

AN ORDINANCE REZONING FROM OT-R OLD TOWNE RESIDENTIAL TO S-R SUBURBAN RESIDENTIAL DISTRICT, FOUR (4) VACANT PARCELS TOTALING APPROXIMATELY 4.19 ACRES AT THE END OF DELTA ROAD, ROBERTS STREET AND HAMILTON STREET.

The Motion was seconded by Council Member Castiglione and adopted by the following vote:

VOTE: 9-0

AYE: Archie, Castiglione, Daniels, Hamlin, Luther, Rawley, Saunders, Smith, and Williams (9).

NAY: None (0).

**HEARING-REZONE 0.55 ACRES – 2003 SOUTH BOSTON ROAD**

Mayor Hamlin opened the floor for a Public Hearing to consider a request to rezone approximately 0.55 acres located at 2003 South Boston Road. Notice of the Public Hearing had been duly published in the Danville Register and Bee on May 18 and 25, 2004. Applicant Bert Sellers appeared to answer questions from Council Members and citizens.

Jeannette Sellers and Dorothy Sellers Scarce appeared to speak in opposition to the request. They expressed traffic concerns and Mrs. Scarce expressed safety concerns for her 10-year-old daughter.

No one further desired to be heard and the Public Hearing was closed.

Council Member Castiglione inquired about buffers and landscaping around the proposed site. Planning Director Gillie said the required buffers would be in place on the property.

Council Member Daniels moved the adoption of an Ordinance entitled:

ORDINANCE NO. 2004-06.03

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AN ORDINANCE REZONING FROM S-R SUBURBAN RESIDENTIAL TO HR-C HIGHWAY RETIAL COMMERCIAL DISTRICT, APPROXIMATELY 0.55 ACRES AT 2003 SOUTH BOSTON ROAD.

The Motion was seconded by Council Member Archie and adopted by the following vote:

VOTE: 8-1  
AYE: Archie, Castiglione, Daniels, Hamlin, Luther, Rawley, Saunders, and Smith (8).  
NAY: Williams (1).

**BUDGET APPROPRIATION ORDINANCE – FY 2004-2005**

Upon Motion by Vice-Mayor Williams and second by Council Member Daniels, an Ordinance entitled:

ORDINANCE NO. 2004-06.04

BUDGET APPROPRIATION ORDINANCE FOR FISCAL YEAR 2004-2005

was presented by its First Reading, as required by City Charter, to lie over before final adoption.

**CODE AMENDMENT-DECREASE REAL ESTATE TAX TO 77 CENTS**

Upon Motion by Vice-Mayor Williams and second by Council Member Daniels, an Ordinance entitled:

ORDINANCE NO. 2004-06.05

AN ORDINANCE AMENDING AND REORDAINING SECTIONS 37-27, 37-28 AND 37-29 OF THE DANVILLE CITY CODE THEREBY DECREASING THE REAL ESTATE TAX FROM EIGHTY (80) CENTS ON EVERY ONE HUNDRED DOLLARS TO SEVENTY-SEVEN (77) CENTS ON EVERY ONE HUNDRED DOLLARS OF ASSESSED VALUE EFFECTIVE JULY 1, 2004

was presented by its First Reading, as required by City Charter, to lie over before final adoption.

**CODE AMENDMENT-INCREASE RETIREE BENEFITS-FY 2004-05**

Council Member Castiglione moved the adoption of an Ordinance entitled:

ORDINANCE NO. 2004-06.06



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AN ORDINANCE AMENDING CHAPTER 32 OF THE DANVILLE CITY CODE BY ADDING A SECTION NUMBERED 32-73.11 TO PROVIDE FOR AN INCREASE IN BENEFITS OF RETIREES AS OF JULY 1, 2004.

The Motion was seconded by Council Member Luther and adopted by the following vote:

VOTE: 8-1  
AYE: Archie, Castiglione, Hamlin, Luther, Rawley, Saunders,  
Smith, and Williams (8).  
NAY: Daniels (1).

**BUDGET AMENDMENT-FY 2003-04-WORKERS' COMPENSATION**

Upon Motion by Council Member Archie and second by Council Member Rawley, an Ordinance entitled:

ORDINANCE NO. 2004-06.07

AN ORDINANCE AMENDING THE FISCAL YEAR 2003-2004 BUDGET APPROPRIATION ORDINANCE BY ANTICIPATING THE TRANSFER OF FUNDS FROM THE INSURANCE FUND TO THE GENERAL FUND TO PROVIDE FOR THE PAYMENT OF WORKERS' COMPENSATION CLAIMS AND APPROPRIATING SAME IN AN AMOUNT NOT TO EXCEED \$350,000

was presented by its First Reading, as required by City Charter, to lie over before final adoption.

**BUDGET AMENDMENT-FY 2003-04-COMPREHENSIVE SERVICES ACT**

Upon Motion by Council Member Castiglione and second by Council Member Rawley, an Ordinance entitled:

ORDINANCE NO. 2004-06.08

AN ORDINANCE AMENDING THE FISCAL YEAR 2003-2004 BUDGET APPROPRIATION ORDINANCE BY INCREASING STATE REVENUES IN THE AMOUNT OF \$542,123 AND PROVIDING A TRANSFER FROM THE GENERAL FUND BALANCE IN THE AMOUNT OF \$69,732 AND A TRANSFER FROM SUPPORT OF SCHOOL OPERATIONS IN THE AMOUNT OF \$85,230 TO COVER ADDITIONAL COSTS FOR THE COMPREHENSIVE SERVICES ACT FOR A TOTAL APPROPRIATION IN THE AMOUNT OF \$697,085

was presented by its First Reading, as required by City Charter, to lie over before final adoption.

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In response to Council Member Archie, City Manager Gwaltney said he and Pittsylvania County Administrator Dan Sleeper were looking into the possibility of using another facility to house at-risk youth. Mr. Gwaltney said that would enable the City and County to control expenditures. Vendor costs for these youth have skyrocketed over the past few years.

### **REVISED JOINT AGREEMENT - WORKFORCE INVESTMENT AREA**

Council Member Castiglione moved the adoption of a Resolution entitled:

#### **RESOLUTION NO. 2004-06.24**

A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE A REVISED JOINT AGREEMENT BETWEEN THE JURISDICTIONS IN THE WORKFORCE INVESTMENT AREA TO CONTINUE THE CONSORTIUM UNDER THE FEDERAL WORKFORCE INVESTMENT ACT.

The Motion was seconded by Council Member Daniels and adopted by the following vote:

VOTE: 9-0  
AYE: Archie, Castiglione, Daniels, Hamlin, Luther, Rawley, Saunders,  
Smith, and Williams (9).  
NAY: None (0).

### **REIMBURSEMENT AGREEMENT – BOB NEWNAM BUILDERS, INC.**

Council Member Archie moved the adoption of a Resolution entitled:

#### **RESOLUTION NO. 2004-06.25**

A RESOLUTION APPROVING AND AUTHORIZING THE EXECUTION OF A REIMBURSEMENT CONTRACT BETWEEN THE CITY OF DANVILLE AND BOB NEWNAM BUILDERS, INC. FOR A SANITARY SEWER MAIN EXTENSION.

The Motion was seconded by Council Member Rawley and adopted by the following vote:

VOTE: 9-0  
AYE: Archie, Castiglione, Daniels, Hamlin, Luther, Rawley, Saunders,  
Smith, and Williams (9).  
NAY: None (0).

### **COMMUNICATIONS**

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City Manager Gwaltney asked Community Development Director Jerry Fischer and Inspections Director Jerry Rigney for a report on enforcement of the Housing and Maintenance Code.

Mr. Rigney distributed a Property Maintenance Report for the period from July 1, 2003 through June 1, 2004 as follows:

- Total Number of Investigations – 344
- Total Number of Cases Processed – 236
- Demolition Orders – 90
- Condemn/Condemn Repair Orders – 51
- Repairs Orders – 95
- Number of Demolitions with CDBG Funds as follows:
  - 414 Cliff Street
  - 10 Stokesland Avenue
  - 206 First Street
  - 288 Bethel Street\*
  - 531 Monroe Street
  - 748 Holbrook Avenue & ½
  - 250 Steward Street\*
  - 531 Newton Street\*

\*Pending Permit or in Progress

- Total Number of Court Cases – 28
- Total Number of Houses Under Foreclosure – 17.

Mr. Rigney presented a sample copy of a vacant house catalog for review by Council Members. These homes are available for purchase through a number of local realtors. He also distributed before and after pictures of houses, which indicated results of renovations following enforcement of the Maintenance Code.

Mayor Hamlin expressed his appreciation to Mr. Fischer and Mr. Rigney for the excellent report. Following a brief question and answer period, Council Members thanked them for their efforts in helping to beautify the City of Danville.

There were no communications from the Deputy City Manager, City Attorney, and City Clerk.

### **ROLL CALL**

Council Member Archie reported that on Thursday, May 27, she attended the 10<sup>th</sup> anniversary festivities at the Senior Citizens Center at Ballou Park. She commended Parks, Recreation, and Tourism Director John Gilstrap for the many fine programs offered for seniors by the Center.

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Mrs. Archie asked newly appointed School Board Member Ed Polhamus to let the other new members know that she has high expectations of the Board. She asked for cohesiveness among the School Board, School Superintendent and teachers in order to help City students become the best they can be.

Council Member Castiglione said he was looking forward to the School Board and City Council working as a team. He congratulated Dr. Polhamus, who was present for the meeting, Dr. Huckabee, and Alonzo Jones on their appointments to the School Board Trustees.

Mr. Castiglione said Jefferson Street is being reborn. He said homes are being renovated and thanked Police Chief Broadfoot for his assistance in lowering the crime rate in the neighborhood.

Council Member Daniels congratulated new School Board Trustees and all of the new appointments made by Council during the meeting. He said City Council could not function without the volunteers who are willing to serve on Council-appointed Boards and Commissions.

Mayor Hamlin thanked Assistant City Manager for Government Affairs Todd Yeatts for his excellent presentation at Memorial Day ceremonies at Lee Street Cemetery.

Mayor Hamlin called attention to the new issue of Virginia Business Magazine, which contained an article on TelVista, a new call center locating in Danville. TelVista is expected to provide 600 jobs in the City.

Council Member Luther congratulated Nestle' personnel and staff for the designation as one of the companies in the United States.

Mr. Luther congratulated new School Board Trustees and said the majority of the seven-member School Board that will take office on July 1 will be new and will face a number of challenges. The Board will do a search for a new superintendent after September 15, when Dr. Torok leaves the office.

Mr. Luther asked City Manager Gwaltney and Chief Broadfoot to investigate the speeding complaints voiced by Robertson Street residents earlier in the meeting.

Council Member Rawley asked Planning Director Gillie to put initials with last names in Planning Commission Reports. Mr. Rawley said it was hard to distinguish individuals in the reports who have the same last name.

Mr. Rawley advised he represented the Alger Pugh Scholarship Award during the Awards assembly at George Washington High School today. Mr. Rawley said hundreds of thousands of dollars in scholarship money was given out today and he congratulated

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recipients for their hard work while in school and wished them well in their future endeavors.

Council Members Saunders congratulated the new School Board members and called for teamwork among the Board, Superintendent and School faculties.

Mr. Saunders said he attended the Memorial Day event at Lee Street Cemetery and congratulated Todd Yeatts for the excellent presentation. Mr. Saunders said we must never forget the sacrifices made by those brave men.

Council Member Smith thanked Inspections Director Jerry Rigney for the fine report. He wished Mrs. Myrtle Craft, a member of Moseley Memorial Baptist Church, a happy 99<sup>th</sup> birthday.

Vice-Mayor Williams thanked all those who applied to serve on the School Board Trustees and all Boards and Commissions. He thanked everyone for their input relating to the appointments to School Board Trustees.

The Meeting adjourned at 9:00 P.M.

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MAYOR

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CLERK